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RESPONSE UNDER 37 CFR 1.116 EXPEDITED PROCEDURE

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Yuji AKIMOTO et al
Title : METHOD FOR MANUFACTURING METAL POWDER

Serial No. : 10/657 569 Group: 1742
Confirmation No.: 9860
Filed : September 8, 2003 Examiner: Wyszomierski
International Application No.: N/A
International Filing Date : N/A
Atty. Docket No.: 4700.P0293US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIRST CLASS MAILING CERTIFICATE

Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service under 37 CFR 1.8 as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 18, 2005.


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Correspondence: Request for Reconsideration including documents listed thereon

190.05/05



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November 14, 2005

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REQUEST FOR RECONSIDERATION

Sir:

In response to the Office Action dated September 1, 2005, applicants respectfully request reconsideration.

Claims 1-5 and 12-14 have been rejected under 35 USC 103(a) as being unpatentable over Akimoto et al. Claims 1-5 and 12-14 have been rejected under 35 USC 103(a) as being unpatentable over Akimoto et al in view of Gonzalez et al. Claims 1-5 and 12-14 also have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-10 of co-pending application Serial No. 10/630 394. Applicants respectfully traverse these grounds of rejection and urge reconsideration in light of the following comments.

As discussed previously, the instant invention is directed to a method for manufacturing a highly-crystallized metal powder which comprises the steps of ejecting a raw material powder comprising of one or more kinds of thermally